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NPC

Notice of Project Change

The information requested on this form must be completed to begin MEPA Review of a NPC in accordance with the provisions of the Massachusetts Environmental Policy Act and its implementing regulations (see 301 CMR 11.10(1)).

Project Name: Final Area-Wide Environmental Impact Report for Massachusetts National Guard Properties at MMR		EOEA #: 5834
Street: The Massachusetts Military Reservation-Camp Edwards		
Municipality: Bourne, Sandwich, Mashpee, Falmouth	Watershed: Cape Cod	
Universal Transverse Mercator Coordinates: 372370E 4619294N	Latitude: 70 Degrees, 32' 5.8" W Longitude: 41 Degrees, 42' 51.9" N	
Status of project construction: 25 %complete		
Proponent: The Massachusetts National Guard		
Street: 50 Maple Street		
Municipality: Milford	State: MA	Zip Code: 01757
Name of Contact Person From Whom Copies of this NPC May Be Obtained: Samuel Moffett, AICP		
Firm/Agency: URS Corporation	Street: 38 Chauncy Street	
Municipality: Boston	State: MA	Zip Code: 02111
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In 25 words or less, what is the project change? The project change involves . . .

The Massachusetts National Guard proposes to modify an Environmental Performance Standard regarding lead-bullet ammunition at selected small arms firing ranges at Camp Edwards. This filing seeks certification of the anticipated review and approval process for this change (as legislated by the Chapter 47 of the Acts of 2002), which will include public participation and final authorization through the Massachusetts Environmental Management Commission (EMC).

See full project change description beginning on page 3.

Date of ENF filing or publication in the Environmental Monitor:

The ENF was published in the Environmental Monitor on January 10, 1986.

Was an EIR required? ☒ Yes ☐ No; if yes,

was a Draft EIR filed? ☒ Yes (Date: Environmental Monitor on December 12, 1996) ☐ No

was a Final EIR filed? ☒ Yes (Date: Environmental Monitor May 23, 2001) ☐ No

was a Single EIR filed? ☐ Yes (Date:) ☐ No

Have other NPCs been filed? ☒ Yes (Date(s): February 15, 2006) ☐ No

If this is a NPC solely for lapse of time (see 301 CMR 11.10(2)) proceed directly to "ATTACHMENTS & SIGNATURES" on page 4.

No

PERMITS / FINANCIAL ASSISTANCE / LAND TRANSFER

List or describe all new or modified state permits, financial assistance, or land transfers not previously reviewed:

Are you requesting a finding that this project change is insignificant? (see 301 CMR 11.10(6))

☒ Yes ☐ No; if yes, attach justification.

See Project Description and analysis below.

Are you requesting that a Scope in a previously issued Certificate be rescinded?

☐ Yes ☒ No; if yes, attach the Certificate

Are you requesting a change to a Scope in a previously issued Certificate? ☐ Yes ☒ No; if yes, attach Certificate and describe the change you are requesting:

Summary of Project Size & Environmental Impacts	Previously reviewed	Net Change	Currently Proposed
LAND			
Total site acreage	Approx. 15,000 Acres (the Reserve)	None	Approx. 15,000 Acres (the Reserve)
Acres of land altered	N/A	None	N/A
Acres of impervious area	N/A		N/A
Square feet of bordering vegetated wetlands alteration	N/A	None	N/A
Square feet of other wetland alteration	N/A	None	N/A
Acres of non-water dependent use of tidelands or waterways	N/A	None	N/A
STRUCTURES			
Gross square footage	N/A	Approx. 2,000	N/A
Number of housing units	N/A	None	N/A
Maximum height (in feet)	N/A	N/A	N/A
TRANSPORTATION			
Vehicle trips per day	N/A	None	N/A
Parking spaces	N/A	None	N/A
WATER/WASTEWATER			
Gallons/day (GPD) of water use	N/A	None	N/A
GPD water withdrawal	N/A	None	N/A
GPD wastewater generation/ treatment	N/A	None	N/A
Length of water/sewer mains (in miles)	N/A	None	N/A

Does the project change involve any new or modified:

1. conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97? ☐Yes ☒No
 2. release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction? ☐Yes ☒No
 3. impacts on Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities? ☐Yes ☒No
 4. impact on any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?
☐Yes ☒No; if yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources? ☐Yes ☐No
 5. impact upon an Area of Critical Environmental Concern? ☐Yes ☒No
- If you answered 'Yes' to any of these 5 questions, explain below:

PROJECT CHANGE DESCRIPTION (attach additional pages as necessary). The project change description should include:

- (a) a brief description of the project as most recently reviewed
- (b) a description of material changes to the project as previously reviewed,
- (c) the significance of the proposed changes, with specific reference to the factors listed 301 CMR 11.10(6), and
- (d) measures that the project is taking to avoid damage to the environment or to minimize and mitigate unavoidable environmental impacts. If the change will involve modification of any previously issued Section 61 Finding, include a proposed modification of the Section 61 Finding (or it will be required in a Supplemental EIR).

The Massachusetts National Guard (MANG) presents this Notice of Project Change (NPC) to provide the public, the regulatory community, and other local, state and federal entities with an opportunity to review the process by which the MANG will soon propose a modification to one of its Environmental Performance Standards (EPSs) for the training area at Camp Edwards. The process identified herein is designed to maximize public input and discussion on proposed enhancements to current military training at Camp Edwards, specifically the capability to train our soldiers using lead-bullet ammunition on their required weapons systems in accordance with Department of Defense (DoD) standards so that Massachusetts soldiers can meet military small arms training standards in a manner that protects our natural resources.

The MANG proposed the current prohibition on the use of lead-bullet ammunition at Camp Edwards in the 2001 FEIR. When the prohibition was originally proposed and adopted as an Environmental Performance Standard (EPS) there where lead-free ammunition alternatives, one of which was tungsten-nylon ammunition. During the Draft Camp Edwards Area Wide EIR process, the MANG had initiated training with tungsten-nylon bullet ammunition, thus limiting the need to evaluate the use of lead-bullet ammunition at that time.

The training of soldiers at Camp Edwards to military standards is now significantly limited by the lead-bullet ammunition prohibition because the alternative ammunition (the tungsten-nylon bullet) identified in the FEIR is no longer a viable alternative. In order to now train our soldiers to current military standards, the MANG needs to use lead-bullet ammunition, which will be done in conjunction with appropriate Small Arms Range (SAR) best management practices (BMPs) which are conceptually described herein.

The SAR Pollution Prevention Plan (P2 Plan) supplement will include range-specific management and BMPs that, once implemented, will allow for appropriate lead management at these ranges such that metallic and dissolved lead residue

will not impact the groundwater of Cape Cod. The northern 15,000 acres of Camp Edwards comprises the sole source aquifer that is the source of potable water for Upper Cape, the area now also known as the Upper Cape Water Supply Reserve (the Reserve). This portion of Camp Edwards is identified in Figure 1.

The major elements of the SAR P2 Plan supplement currently under development are presented in Attachment A in order to provide a conceptual basis for reviewers of this NPC to understand the context within which live fire training utilizing lead-bullet ammunition would be managed at Camp Edwards. Specific final elements of the plan will be presented to the Massachusetts Environmental Management Commission (EMC) for consideration in a public forum when the MANG formally petitions for removal of the lead-bullet prohibition. It is currently anticipated that the MANG will submit this petition to the EMC in approximately late winter/early spring of 2007.

The current lead-bullet ammunition prohibition at Camp Edwards arises from two sources: 1) a series of four administrative orders issued by the United States Environmental Protection Agency (USEPA), and 2) the Environmental Performance Standards articulated by the MANG in 2001 and codified in the October 2004 Memorandum of Understanding and the Section 61 Findings developed during the MEPA process in 2001 (see below).

In order to meet its goal of a phased return to training activities involving the firing of lead-bullet ammunition at Camp Edwards, the MANG anticipates it will petition the EPA to remove the suspension of training with lead-based small arms ammunition as envisioned with the requirements of Administrative Order #2 through a public process during the winter 2006-2007 time frame, and will then seek to obtain approval from the EMC of a modification to the Environmental Performance Standard. The anticipated regulatory review process for return to firing of lead-bullet ammunition is presented in Figure 2. With this filing, the MANG seeks certification from the Secretary that the process described in Figure 2 is appropriate, and provides an opportunity for the public and the regulatory community to comment prior to initiation of the process.

Regulatory Oversight of Camp Edwards

All activity at Camp Edwards is conducted under the highest level of environmental oversight by the Commonwealth of Massachusetts to protect the valuable natural resources located in the Reserve/training areas at the base. The military is required to operate in compliance with a number of state, federal, and Department of Defense laws and regulations to protect the environment. At Camp Edwards there is an additional level of environmental protection and oversight in the form of a landmark agreement made between the Commonwealth of Massachusetts and the military. This agreement, and a subsequent state law, created the Environmental Management Commission (EMC), comprised of the heads of three state environmental agencies. The EMC has full time staff at the base, access to all training lands, activities, and related information regarding the Reserve/training area. The EMC has the ability to suspend any training activity in the Reserve/training area they believe is a threat to the environment. This oversight structure has been written into the lease agreement the Army holds with the Commonwealth for the use of Camp Edwards which is located on state owned land. As long as the MANG remains at Camp Edwards, this unparalleled standard of environmental protection will be in place.

In October 2001, the above noted agreement in the form of a Memorandum of Agreement (See Attachment D) was signed establishing a management structure for the northern training area of Camp Edwards, the Reserve, and creating the oversight structure for the Reserve as outlined in the Community Working Group Master Plan Final Report. The MOA was signed by the Governor of Massachusetts for the Commonwealth of Massachusetts and by the Deputy Assistant Secretary of the Army (Environment, Safety & Occupational Health) for the Department of the Army. Other signatories were the Secretary of EOEA, NGB, the Adjutant General of the Massachusetts National Guard, the Commissioner of the Massachusetts Department of Fish and Game (MDF&G), the Commissioner of the Massachusetts Department of Conservation and Recreation (DCR), and the Commissioner of the Massachusetts Department of Environmental Protection (MassDEP).

On March 5, 2002, the Governor signed legislation (Chapter 47 of the Acts of 2002) (See Attachment E) codifying into law the MOA ensuring the permanent protection of the drinking water supply and wildlife habitats in the Reserve, while allowing compatible military training. Under the law, the compatibility of training with environmental protection would be verified through independent oversight, monitoring, and evaluation. For this

purpose, the legislation created the EMC, consisting of the Commissioner of MDFG, the Commissioner of MassDEP, and the Commissioner of DCR. The EMC oversees compliance with and enforcement of the EPSs and coordinates the actions of environmental agencies of the Commonwealth in the enforcement of environmental laws and regulations within the Reserve.

The legislation further directed that the EMC be assisted by two advisory councils. The Community Advisory Council (CAC), consisting of 15 members, assists the EMC by providing advice on issues related to the protection of the water supply and wildlife habitat within the Reserve. The Science Advisory Council (SAC), consisting of 9 members, assists the EMC by providing scientific and technical advice relating to the protection of the drinking water supply and wildlife habitat within the Reserve.

Finally, the legislation established a full-time Environmental Officer (EO) for the MMR. The EO in this capacity, provides full-time monitoring of military and civilian activities on and uses of the Reserve and the impact of those activities and uses on the water supply and wildlife habitats. Working directly for the EMC, the EO has unrestricted access to all data and information from the various environmental and management programs. He has full access to all points in the Reserve and conducts inspections at any time in order to monitor, oversee, evaluate, and report to the EMC on the environmental impact of military training and other activities. The EO's on-site monitoring occurs prior to, during and immediately following training and other activities. These monitoring activities include but are not limited to: training sites, pollution prevention, and habitat protection activities for both military and contractors in the Reserve, as well as coordinating with and consulting with the Environmental and Readiness Center (E&RC) on various projects, initiatives and issues including small arms range management. The EO is located full time at Camp Edwards and acts as a liaison between the EMC, SAC, CAC, military, general public, and various state agencies.

The EO also brings to the management of the Reserve/training area additional experience to help manage the natural resources. For example, the current EO, Mr. Mark Begley, has an extensive background in small arms range management and has contributed to numerous best management practice manuals including the Interstate Technology & Regulatory Council's Environmental Management at Operating Outdoor Small Arms Firing Ranges.

Project Change Description

(a) Description of the project as most recently reviewed

MEPA review of activities at the Massachusetts Military Reservation (MMR), including Camp Edwards, began in 1986 and has been extensive. The nature and intensity of training activities at Camp Edwards were reviewed and certified in the Secretary's Certificate on the MMR Final Area-Wide FEIR in July 2001. That certificate (presented in Attachment B) created certain obligations for the MANG, including adoption and implementation of Environmental Performance Standards (EPSs) and the filing of an annual State of the Reservation Report. The MANG has complied, and continues to comply, with these obligations.

(b) Description of material changes to the project as previously reviewed

As discussed above, the material change contemplated in this NPC is modification of the Environmental Performance Standards established in 2001 (at this time, specifically the prohibition on the firing of lead-bullet ammunition at Camp Edwards).

To facilitate modification of the lead-bullet ammunition prohibition, it is expected that the MANG will petition the EMC, which is empowered to approve EPS modifications under Chapter 47 of the Acts of 2002 with regulatory oversight of environmental matters at Camp Edwards.

Lifting of the lead-bullet prohibition by the EMC would be requested by the MANG on an iterative basis as specific small arms ranges at Camp Edwards are upgraded to allow implementation Best Management Practices. The MANG will request of the EMC and USEPA that training with lead-bullet ammunition be reinstated in a phased approach on a range-by-range basis as shown below: